G R S IX-5]

Previous references
ml 604 2(23, 25, 201 237)
" 69-12(75, 80, 106 & 109)
" 69-13(108 & 110)
" 69-14(56 & 125)

Later references
ml 8-29
Au 54 v 62
ml 59-33, 7 & 11

1921

(ml)

File No 55-21

Serial Nos 182 & 197

GENERAL AND REVENUE SECRETARIAT

Serial Nos

Part B for Aug 22

SUBJECT

Bye-laws of the municipalities

197 To, The Deputy Commissioner Chittaldrug Dist & the Comptroller Nos 1222/d 2 8-22

Accords sanction to the Bye laws of the Davanagere municipal Council re to Dangerous and offensive trades

HS 19/8

WD 1033—GPB—16,526—23-7-21

725'

G R.S 11) 1924—22

GENERAL AND REVENUE SECRETARIAT.

(Rul)

NOTES.

Rul File No 5504

FILE HEADING

Bye-laws framed by the Davangere Municipal Council.

FROM

The D-C Chitaldrug Distt

No. C 331 Dated 30 5- 22 Received 1/12 6 22

Diary No 7251	Enclos	Spare Copies	Serial No. 182

BRIEF ABSTRACT OF LETTER

Submits for sanction a set of byelaws relating to dangerous and offensive trades in the town of Davangere, proposed to be introduced by the Municipality

NOTES AND ORDERS

The notice required under section 60 of the Mul Regln, VII of 1906, has not been produced by Govt, nor has information been furnished as to whether when the notice was published and whether a month's time was allowed after such publication.

NOTES—First Sheet

DS 15/6/22 DS 15/6/22

2 The Byelaws may be scrutinised and a draft sanctioning put up The President says that they have been duly published but no objections have been received DS 15/6

7251

G R S III-2,

General and Revenue Secretariat — File No. 55 of 1922

Serial No

3 The byelaws proposed have been compared with those relating to the Empire city and they are found to be all right, except in the following respects: —

	Empire	Davangere
Rule 4 (1) Fee leviable	(1) Rs 2/- per 1000 gallons	(1) Re 1/- per 1000 gallons
	(2) minimum of Rs 10	(2) minimum of Rs 15/-
	(3) Storage capacity calculated at 10 gallons for 3 sft	(3) — at 6 sqft for 1 sft.

4 The byelaws may, with advantage, be discontinued by the judicial branch also if approved

DR 30/6/22

5 The Byelaws are suitable and may be approved

43/37

(2nd Member) 27/22

6 The Municipal Laws in force in Mysore & Bangalore Cities.

5/7

NOTE—Contin sheet

G R S III-2}

General and Revenue Secretariat

Inl File No 55 of 1921.

Serial No

7 The dangerous and offensive Trade bye-laws are for enforce in area both the Municipalities

HK
12 7 1922 (2nd number)

9 In what model are these bye laws based - Please compare these with Mysore & Baroda bye laws and submit.

Bangalore type { Inl 60-12 & 23 & 24 & 43
Inl 69-13 85 & 86 1064/69
Inl 69-13 84 1064/110

Mysore bye-law Inl 69-14 & 85 & 86 & 25

Lab.
18/7/22

10 The two sets bye-laws were given on the basis of Model bye laws under the Bombay D.M. Municipal Act (Page 56 & 58 of the book enclosed)

11. The bye laws have been compared with the bye laws The variations are noted at para 3

HK
21 7 22 (2nd number)

12

13

14 Draft sanctioning may be put up

Lab.
21/7

NOTE—Contn sheet.

£7025 4

G R S III 2]

General and Revenue Secretariat

Rl File No. 55 of 1921

Serial No	
	15 Draft GO Sanctioning [illegible]
	HK 25/7/22 Secy Secy 25/7/22
197	To the D.C. Chittagong No. L/122 dt 28/7/22 Explaining the byelaws
	17/8/22

REVENUE & JUDICIAL SECRETARIAT. 29 JUL 1922 LOCAL SELF GOVT. BRANCH

17 AUG 1922 LOCAL SELF GOVT. BRANCH

NOTE—Contn sh.

JUDICIAL DEPARTMENT
7257
65[illegible]
1 JUN 1922
LOCAL GOVT. BRANCH.

Rl 33-21

19

From A.K. Syed Taj Peeran Esq , B
Deputy Commissioner
Chitaldrug District

To A. V. Ramanathan Esq , B.A.,
Secretary to Government
Revenue Department,
(in charge) Bary

Dated
Despatched } 30 May 1922
Received

General No C 331 [illegible]
No.

Enclosure No 2

REVENUE SECTT.
2 JUN 1922

Sir,

I have the honor to forward here with the bye-laws relating to Dangerous and offensive Trades, framed by the --- Davangere town Municipal Council and to state that the President reports that on the preliminary procedure contemplated in Section 60 of the Municipal Regulation, having been duly observed no objection has been received from the public for the introduction of the said bye-laws Copy of the resolution of the Municipal Council received from the President is also sent herewith for favour of perusal I request that sanction of Government may kindly be obtained to the bye-laws and for introducing the same into the Davangere Municipality as resolved by the Council

I have the honor to be
SIR,
Your most obedient servant

Deputy Commissioner,
Chitaldrug District

Minutes of the ordinary monthly meeting of the Davanagere Municipal Council held on the 22nd April 1922

President

S Chamarajapa Iyengar Esquire. BA BL Present
Sub-Division officer Davangere

Vice-President

Rao J. MG Onkarabhanga - Present

	Present	Absent
Exc officers Councillors —	2	
non-official Councillors —	7	6

II. Approving the laws relating to Dangerous and offensive trades

Resolved that the Byelaws be sent up for sanction as no objections have been received after due publication in the town

(Sd) S. Chamarajapa Iyengar
President

True copy
S Chamarajapa Iyengar
President,
Davangere Municipality

CV

Davangere Town Municipality.

Bye-laws relating to Dangerous and Offensive trades in the Town of Davangere framed under Section 48 (1)(b)(iii)and Section 151 of the Mysore Municipal Regulation, VII of 1906. and Sanctioned by Govt in their Proceedings No MM 55 21. dated

1. These bye-laws are called " The Dangerous and Offensive Trades Bye-laws".

2. In these bye-laws unless there is something repugnant in the subject or context,

A. Dangerous trade means the business of storing for sale -

1. Kerosene oil in godowns.

2. Petrol in godowns.

3.Kerosene oil in tanks.

4. Petrol in tanks.

(N.B.- A godown may be deemed to be a place where more than 100 gallons or 25 tins of kerosene oil or 24 gallons or 6 drums of petroleum are stored at a time.)

B. Offensive trade means the business of -

(1) Storing offal, blood, bones or rags.

(2) Storing hides, horns or skins.

(3) Making or manufacturing of bricks.

(4) Making or manufacturing of lime.

C. Manager means the person under whose authority or control or for whose benefit a dangerous or offensive trade is carried on whether such person is the propriter of the business or the agent in charge thereof.

3. The manager of every place used for the purpose of a dangerous or ~~xxx~~ offensive trade as defined in clause 2 above, shall not use it as such without obtaining a license from the President thereof. The license so granted shall expire on the 30th June of the official year during which it was issued, but the currency of a license may be renewed previous to its expiration and on payment of a second fee provided always that where a renewal is applied for aforesaid, the period of its currency shall whether the application is eventually granted or refused be deemed to include the interval during which the application was pending disposal.

4. The fees leviable on license to carry on dangerous or offensive trades shall be as follows -

A. Dangerous trades -

Annas 8 per 1000 gallons on the capacity of each godown or tank in which kerosene oil or petroleum is stored, subject to a minimum of Rs 10 per annum. The storage capacity of the building shall be calculated at the rate of 6.25 gallons for 1 cubic foot and shall be written on the outside of the tank.

B. Offensive Trades:-

(1) For each class of business or each kiln for bricks Rs 5/- por annum.

Note 1. The licence fee for each lime kiln shallbe annas 8 for a year.

(2) In the case of hand-made goods, the licence fee shall be Rs 5/- for a kiln of 100,000 bricks or a fraction thereof.

5. No such licence will be granted unless the place intended for the purpose is suitable for the trade to be carried on there without the likelihood of causing any danger or nuisance to the persons residing in or resorting to the neighbourhood.

6. Every Manager as aforesaid shall keep the place licensed for the purpose open between 7 A.M. and 10 A.M. and 3 P.M. & 5-30 P.M. to inspection by the President, Vice President, Health Officer, Sanitary Inspector or a Police Inspector and shall afford every facility for such inspection.

7. Every such manager shall be bound ~~if~~ to furnish to the President whenever called on to do so, such statistics as show the quantity if goods received, stored, manufactured, sold or exported by him.

8. In the case of dangerous trades:-

(1) Every manager shall so store his goods as to admit of free ingress and egress for the removal of the goods and quenching a fire, if any should break out.

(2) He shall not cause or suffer any cover made any combustible material to be erected or placed over or adjoining any such goods.

(3) He shall at all times keep the premises clean and dry to the satisfaction of the President, Vice President or the Health Officer.

(4) He shall not allow smoking or the introduction of fire or open light into the premises mentioned in Bye-law 2A, and he shall always store sufficient quantity of sand to quench the fire, if one should break out. No artificial light except an ~~xxxx~~ electric light or a lamp construc-

constructed on Sir Humpry Davy's principle shall be allowed.

5. He shall carry out his trade in such a way as not to make his premises a source of danger or nuisance to the person residing in or resorting to the neighbourhood.

(6) He shall comply with any requisition from the President, Vice President or the Health Officer, contained ina notice for the total or partial removal from the premises of the aforesaid goods, or the removal of any combustible materials not intended for sale or for rectifying any error or omission in attending to the above provisions.

9. In the case of offensive trades as defined in Bye-law 23 -

(1) The trades mentioned in Bye-law 23 (1) and (2) shall not be carried on in any locality close to a cluster of dwelling houses and the premises shall not have less than 35 percent of window area as compared with the total floor space of storing and working rooms.

(2) Every manager shall confine his trade to be carried on strictly in the place shown in the license.

(3) He shall store and convey all offensive and noxious material in proper air-tight receptacles provided with effective and tight lids

(4) He shall adopt the best practicable means of rendering innocuous all vapours omitted during the process of trade either by proper ventilation or other suitable means, the manner in which and the place to which all refuse matter may be transported being determined by the President.

(5) He shall keep the floor of the prmises in good order and repair so as to prevent the absorption of any liquid filth or refuse or any noxious or injurious matter which may fall or deposited thereon.

(6) He shall provide the premises with proper drains and shall always keep them in good order.

(7) He shall cause the premises to be cleaned at the close of every working day.

(8) He shall not allow any refuse or waste matter whether solid or liquid which is likely to be a source of danger or nuisance to be deposited in or around the premises, but shall have it removed daily in such manner as may be determined, all refuse liquids whether hot or cold being subjected to such process of fermentation or purification as might in individual cases be prescribed by the President before being let into

into any sewer, drain, water course or place, whether public or private.

(9) He shall adopt such other precautions as are necessary to minimise the danger or nuisance to the public from the use to which such premises are put;

(10) He shall comply with any requisition from the President, Vice President or the Health Officer, contained in a notice for rectifying any error or omission on attending to the above provisions and for promoting the health of the persons employed in such trades.

10. The President shall have power to suspend or withdraw a license so granted for a dangerous or offendive trade whenever he deems such a course necessary in the interest of the convenience and safety of the public, generally or of the persons inhabiting or resorting to the neighbourhood of the premises covered by such license or whenever the conditions of the license are not obeyed.

11. The license to be granted for dangerous and offensive trades shall be in the following form and shall be subjectto such conditions as noted therein.

Davangere Municipality.

License to carry on dangerous and Offensive trades.

No..... ...

Dated. ..... Fees Rs .....

License No... .

Granted under the provision of the By-laws under Section 48 (1) b (iii) of the Mysore Municipal Regulation,1906,subject to the undermentioned conditions:-

To.....

For. ....

At premises No..... in..... Division for the year ending 30th June 19[illegible]

President, Municipal Council,Davangere.

CONDITIONS.

1. The licence shall be in force for a period of one year. It shall expire on the 30th June of the year for which it was granted. But the currency of a licence may be renewed previous to its expiration and on payment of second fee provided always that where a renewal is applied for as aforesaid, the period of its currency shall whether the application is eventually granted or refused, be deemed to include the interval during which the application was pending disposal.
2. The licence is not transferable.
3. The licensee shall strictly obey all rules and bye-laws of the Municipality in this behalf.
4. Any breach of such rules or bye-laws will entail the suspension or withdrawal of the licence and the prosecution of the offender under section 152 (3) of the Municipal Regulation, 1906.

Davangere Town Municipality.

Licence to store for sale, Kerosine oil or petroleum in tanks.

No. .....

Dated.....

Fee Rs .....

Granted under the provisions of the Bye-laws framed under section 48 (1) b (iii of the Mysore Municipal Regulation of 1906, subject to the undermentioned conditions -

To.....

For .....

At premises No. ..... in ..... Division... ... for the year ending 30th June 19

Collector of Municipal Taxes. President, Municipal Council, Davangere

Conditions.

1. The license shall be in force for a period of one year. It shall expire on the 30th June of the year for which it was granted. But the currecy of a licence may be renewed previous to its expiration and

and on payment of a second fee, provided always that where a renewal is applied for as aforesaid, the period of its currency shall whether the same is eventually granted or refused, be deemed to include the interval during which the application was pending disposal.

2. This license is not transferable.

3. The licensee shall strictly obey all rules and bye-laws of the Municipality in this behalf.

4. (a) The building itself for the reception and storage of kerosine oil or petroleum, shall be constructed with stone or brick wa with terraced, tiled iron roofs and with tiled or paved or earthen floors.

(b) The doors and openings of the building shall be built up to a height of not less than 2 feet above the level of the road or street, or the floors shall be sunk at least 2 feet below the level of the road or street in such manner that the petroleum cannot flow out in case of fire, and

(c) The building shall be separated by a clear open space of 20 feet on every side from any other building provided that the Licensing Officer may, for special reasons to be stated in writing, dispense with this condition.

5. Any breach of the rules or bye-laws of the Municipality in this behalf, will entail the suspension or withdrawal of the license and the prosecution of the offender under section 152 (3) of the Municipal Regulation, 1906.

P. C. [illegible]

President,

Town Municipal Council, Davangere.

SUBJECT Mv 317 ale

Diary No of letter replied to L7217

Section Mel

File No 55-21

Serial No 197

GENERAL AND REVENUE SECRETARIAT
(Mel)
the 191

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue 21/5/22

Signed by Mr D C S

Read–

Letter No C 331/Mel 21 22 dated 30th May 1922

from the Dy Comr, Chitaldroog

~~Stating or forwarding~~ Submitting Sanction to the bye laws relating to Dangerous & Offensive Trades framed in the town of Davangere framed by the Davangere Mcl under Sec 48(1)(b)(iii) & Sec 157 of the Mysore Municipal Regulation

Order thereon– No L 1222 Govt Off Proclan

Sanctioned

~~Recorded~~

A copy of the bye laws as Sanctioned is appended The bye laws shall be got printed and 2 copies furnished to this Office for record

Secretary to Government

25/7/22 Secy to Govt Rev Dept

25 7 22

To The Dy Comr Chitaldroog

Dept. with a copy of the Sanct bye laws

This be

(i) Printed?

Treated as standing order?

(ii) Published in the Gazette English part?

) Translated?

(iv) Placed at the disposal of the Press?

(v) Published in the Gazette Kannada part?

GRSM 461

317